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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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9 CALIFORNIA PIPE RECYCLING,
10 INC.

11 Plaintiff,

12 vs.

13 SOUTHWEST HOLDINGS, INC., et al.,
14 Defendants.
15 _____/

CASE NO. CV F 08-0236 LJO SMS

**ORDER TO SET SETTLEMENT
CONFERENCE**

Date: March 23, 2009

Time: 10 a.m.

Before:

**U.S. Magistrate Judge Stephen Smith
Southern District of Texas
Houston, Texas 77002**

16 This Court conducted a January 15, 2009 status conference. Plaintiff California Pipe Recycling,
17 Inc. ("Cal Pipe") appeared by telephone by counsel Kerry P. Zeiler, Ko & Zeiler. Defendants Joseph
18 Briers, Southwest Pipe Services, Inc. and S.W. Pipe Holdings, Inc. (collectively the "Briers defendants")
19 appeared by telephone by counsel Jason Powers, Powers & Slay. Defendant Robbye Waldon ("Mr.
20 Waldon"), trustee of Joseph Briers' discharged chapter 7 bankruptcy, appeared by David Jones, Porter
21 & Hedges. At the conference, the parties agreed to participate in a settlement conference to be
22 conducted by a U.S. Magistrate Judge of the Southern District of Texas in light of bifurcation of Cal
23 Pipe's interpleader claim and anticipated remand to Texas state court of the Briers defendants'
24 counterclaim against Cal Pipe.

25 As such, this Court ORDERS the parties to:

- 26 1. PARTICIPATE in a settlement conference before U.S. Magistrate Judge Stephen Smith
27 on March 23, 2009 at 10 a.m. in the Southern District of Texas, Houston, Texas 77002;
28 and

IT IS SO ORDERED.

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE